

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 354  
Title 14, California Code of Regulations  
Re: Archery Equipment and Crossbow Regulations

- I. Date of Initial Statement of Reasons: March 1, 2003
- II. Date of Pre-Adoption Statement of Reasons: April 25, 2003
- III. Date of Final Statement of Reasons: May 9, 2003
- IV. Dates and Locations of Scheduled Hearings:
  - (a) Notice Hearing:           Date: April 4, 2003  
  Location: Visalia, California
  - (b) Adoption Hearing:       Date: May 8, 2003  
  Location: Riverside, California
- V. Update:

No modifications were made to the originally proposed language of the Initial Statement of Reasons.
- VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those Considerations:

No public comments, written or oral, were received during the public comment period.
- VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:  
California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game  
1812 Ninth Street  
Sacramento, California 95814

IX. Descriptions of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

By not clarifying the existing regulation as they pertain to mechanical/retractable broad heads, the determination as to how to measure the size of the broad head (open vs. closed) will be left to the individual warden in the field. This will result in a continued non-standard application of the regulation regarding this equipment, with some hunters cited for their use and some not.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States:

The agency is not aware of any cost impacts that a representative business would necessarily incur in reasonable compliance with the proposed action.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on Private Persons:

The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.



## **Updated Informative Digest/Policy Statement Overview**

Existing regulations regarding archery equipment define a legal broad head as one with blades which will not pass through a hole seven-eighths inch in diameter.

Mechanical/retractable broad heads operate with blades which are closed during flight but open upon impact. When the blades are closed, the broad head will pass through a hole seven-eighths inch in diameter. This has led to confusion regarding the legality of using mechanical/retractable broad heads in California, and has led to an inconsistent application of the law. The regulation proposal will identify that mechanical/retractable broad heads are to be measured in the open position, and if the blades then can not pass through a hole seven-eighths inch in diameter they will be legal to use to take big-game in California.

**The Commission, at its May 8, 2003 meeting, adopted the proposed change.**

Section 354, Title 14, CCR, is amended to read:

**§354. Archery Equipment and Crossbow Regulations.**

(a) Bow, as used in these regulations, means any device consisting of a flexible material having a string connecting its two ends and used to propel an arrow held in a firing position by hand only. Bow, includes long bow, recurve or compound bow.

(b) Crossbow, as used in these regulations means any device consisting of a bow or cured latex band or other flexible material (commonly referred to as a linear bow) affixed to a stock, or any bow that utilizes any device attached directly or indirectly to the bow for the purpose of keeping a crossbow bolt, an arrow or the string in a firing position. A crossbow is not archery equipment.

(c) For the taking of big game, hunting arrows and crossbow bolts with a broad head type blade which will not pass through a hole seven-eighths inch in diameter shall be used. Mechanical/retractable broad heads shall be measured in the open position. For the taking of migratory game birds, resident small game, furbearers and nongame mammals and birds any arrow or crossbow bolt may be used except as prohibited by subsection (d) below.

(d) No arrows or crossbow bolt with an explosive head or with any substance which would tranquilize or poison any animal may be used. No arrows or crossbow bolt without flu-flu fletching may be used for the take of pheasants and migratory game birds, except for provisions of section 507(a)(2).

(e) No arrow or crossbow bolt may be released from a bow or crossbow upon or across any highway, road or other way open to vehicular traffic.

(f) No bow or crossbow may be used which will not cast a legal hunting arrow, except flu-flu arrows, a horizontal distance of 130 yards.

(g) Crossbows may not be used to take game birds and game mammals during archery seasons.

(h) Archers may not possess a firearm while hunting in the field during any archery season, or while hunting during a general season under the provisions of an archery only tag.

(i) No person may nock or fit the notch in the end of an arrow to a bowstring or crossbow string in a ready-to-fire position while in or on any vehicle.